

## WESTLAW

### § 1331. Federal question

United States Code Annotated Title 28. Judiciary and Judicial Procedure (Approx. 2 pages)

United States Code Annotated

Title 28. Judiciary and Judicial Procedure (Refs & Annos)

Part IV. Jurisdiction and Venue (Refs & Annos)

Chapter 85. District Courts; Jurisdiction (Refs & Annos)

28 U.S.C.A. § 1331

### § 1331. Federal question

Currentness

The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.

#### CREDIT(S)

(June 25, 1948, c. 646, 62 Stat. 930; July 25, 1958, Pub.L. 85-554, § 1, 72 Stat. 415; Oct. 21, 1976, Pub.L. 94-574, § 2, 90 Stat. 2721; Dec. 1, 1980, Pub.L. 96-486, § 2(a), 94 Stat. 2369.)

#### Notes of Decisions (3043)

28 U.S.C.A. § 1331, 28 USCA § 1331

Current through P.L. 114-244.

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## WESTLAW

**LCR 103. Prisoner Complaints Under Civil Rights Act, 42 U.S.C. § 1983**  
Washington Federal Rules of Court United States District Court for the Western District of Washington (Approx. 2 pages)

Washington Federal Rules of Court  
United States District Court for the Western District of Washington  
Civil Rules

Local Rules W.D.Wash., LCR 103

### LCR 103. Prisoner Complaints Under Civil Rights Act, 42 U.S.C. § 1983

Currentness

(a) **Form of Complaint.** Complaints filed pursuant to the Civil Rights Act, 42 U.S.C. § 1983 by or on behalf of prisoners, shall be typewritten or legibly handwritten, and signed by each plaintiff. Such complaints shall be on the forms supplied by the court unless the district judge or magistrate judge, upon finding that the complaint is understandable and that it conforms with the local rules and Federal Rules of Civil Procedure, in his or her discretion, accepts for filing a complaint that is not submitted on the appropriate forms.

(b) **Forma Pauperis.** See LCR 3.

(c) **Place of Filing.** See LCR 3(d).

(d) **File Original Complaint; No Copies Required.** Plaintiff shall send to the clerk an original complaint form for filing; plaintiff is not required to file additional copies. Plaintiff should keep a copy of the complaint for his or her own records; the clerk will not routinely return a copy of the complaint to plaintiff.

#### Credits

[Effective May 1, 1992. Amended effective July 1, 1997; December 1, 2012.]

U. S. Dist. Ct. Rules W.D.Wash., LCR 103, WA R USDCTWD LCR 103  
Local federal district and bankruptcy court rules and ECF documents are current with amendments received through August 1, 2016. All other local federal district and bankruptcy court materials are current with amendments received through August 1, 2016.

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## WESTLAW

### Rule 15. Amended and Supplemental Pleadings

United States Code Annotated Federal Rules of Civil Procedure for the United States District Courts (Approx. 3 pages)

United States Code Annotated

Federal Rules of Civil Procedure for the United States District Courts (Refs & Annos)

Title III. Pleadings and Motions

#### Federal Rules of Civil Procedure Rule 15

### Rule 15. Amended and Supplemental Pleadings

#### Currentness

#### (a) Amendments Before Trial.

(1) **Amending as a Matter of Course.** A party may amend its pleading once as a matter of course within:

(A) 21 days after serving it, or

(B) if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier.

(2) **Other Amendments.** In all other cases, a party may amend its pleading only with the opposing party's written consent or the court's leave. The court should freely give leave when justice so requires.

(3) **Time to Respond.** Unless the court orders otherwise, any required response to an amended pleading must be made within the time remaining to respond to the original pleading or within 14 days after service of the amended pleading, whichever is later.

#### (b) Amendments During and After Trial.

(1) **Based on an Objection at Trial.** If, at trial, a party objects that evidence is not within the issues raised in the pleadings, the court may permit the pleadings to be amended. The court should freely permit an amendment when doing so will aid in presenting the merits and the objecting party fails to satisfy the court that the evidence would prejudice that party's action or defense on the merits. The court may grant a continuance to enable the objecting party to meet the evidence.

(2) **For Issues Tried by Consent.** When an issue not raised by the pleadings is tried by the parties' express or implied consent, it must be treated in all respects as if raised in the pleadings. A party may move—at any time, even after judgment—to amend the pleadings to conform them to the evidence and to raise an unpleaded issue. But failure to amend does not affect the result of the trial of that issue.

#### (c) Relation Back of Amendments.

(1) **When an Amendment Relates Back.** An amendment to a pleading relates back to the date of the original pleading when:

(A) the law that provides the applicable statute of limitations allows relation back;

(B) the amendment asserts a claim or defense that arose out of the conduct, transaction, or occurrence set out—or attempted to be set out—in the original pleading; or

(C) the amendment changes the party or the naming of the party against whom a claim is asserted, if Rule 15(c)(1)(B) is satisfied and if, within the period provided by Rule 4(m) for serving the summons and complaint, the party to be brought in by amendment:

(i) received such notice of the action that it will not be prejudiced in defending on the merits; and

(ii) knew or should have known that the action would have been brought against it, but for a mistake concerning the proper party's identity.

## WESTLAW

### § 241. Conspiracy against rights

United States Code Annotated Title 18. Crimes and Criminal Procedure Effective: October 11, 1996 (Approx. 2 pages)

United States Code Annotated  
Title 18. Crimes and Criminal Procedure (Refs & Annos)  
Part I. Crimes (Refs & Annos)  
Chapter 13. Civil Rights

Effective: October 11, 1996

18 U.S.C.A. § 241

### § 241. Conspiracy against rights

Currentness

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or

If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured--

They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death.

#### CREDIT(S)

(June 25, 1948, c. 645, 62 Stat. 696; Pub.L. 90-284, Title I, § 103(a), Apr. 11, 1968, 82 Stat. 75; Pub.L. 100-690, Title VII, § 7018(a), (b)(1), Nov. 18, 1988, 102 Stat. 4396; Pub.L. 103-322, Title VI, § 60006(a), Title XXXII, §§ 320103(a), 320201(a), Title XXXIII, § 330016(1)(L), Sept. 13, 1994, 108 Stat. 1970, 2109, 2113, 2147; Pub.L. 104-294, Title VI, §§ 604(b)(14)(A), 607(a), Oct. 11, 1996, 110 Stat. 3507, 3511.)

#### Notes of Decisions (516)

18 U.S.C.A. § 241, 18 USCA § 241  
Current through P.L. 114-244.

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## WESTLAW



### § 242. Deprivation of rights under color of law

United States Code Annotated Title 18. Crimes and Criminal Procedure Effective: October 11, 1996 (Approx 2 pages)

United States Code Annotated

Title 18. Crimes and Criminal Procedure (Refs & Annos)

Part I. Crimes (Refs & Annos)

Chapter 13. Civil Rights

#### Proposed Legislation

Effective: October 11, 1996

18 U.S.C.A. § 242

### § 242. Deprivation of rights under color of law

Currentness

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

#### CREDIT(S)

(June 25, 1948, c. 645, 62 Stat. 696; Pub.L. 90-284, Title I, § 103(b), Apr. 11, 1968, 82 Stat. 75; Pub.L. 100-690, Title VII, § 7019, Nov. 18, 1988, 102 Stat. 4396; Pub.L. 103-322, Title VI, § 60006(b), Title XXXII, §§ 320103(b), 320201(b), Title XXXIII, § 330016(1)(H), Sept. 13, 1994, 108 Stat. 1970, 2109, 2113, 2147; Pub.L. 104-294, Title VI, §§ 604(b) (14)(B), 607(a), Oct. 11, 1996, 110 Stat. 3507, 3511.)

#### Notes of Decisions (342)

18 U.S.C.A. § 242, 18 USCA § 242

Current through P.L. 114-244.

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## WESTLAW

**Amendment I. Establishment of Religion; Free Exercise of Religion; Freedom of Speech and the Press; Peacef...**  
United States Code Annotated Constitution of the United States (Approx 2 pages)

United States Code Annotated  
Constitution of the United States  
Annotated  
Amendment I. Religion; Speech and the Press; Assembly; Petition

### U.S.C.A. Const. Amend. I

#### Amendment I. Establishment of Religion; Free Exercise of Religion; Freedom of Speech and the Press; Peaceful Assembly; Petition for Redress of Grievances

##### Currentness

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

<Historical notes and references are included in the full text document for this amendment.>

<For Notes of Decisions, see separate documents for clauses of this amendment:>

<USCA Const Amend. I--Establishment clause; Free Exercise clause>

<USCA Const Amend. I--Free Speech clause; Free Press clause>

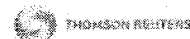
<USCA Const Amend. I--Assembly clause; Petition clause>

U.S.C.A. Const. Amend. I, USCA CONST Amend. I  
Current through P.L. 114-244.

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### Amendment IV. Searches and Seizures; Warrants

United States Code Annotated Constitution of the United States (Approx. 2 pages)

United States Code Annotated

Constitution of the United States

Annotated

Amendment IV. Searches and Seizures; Warrants

U.S.C.A. Const. Amend. IV-Search and Seizure; Warrants

Amendment IV. Searches and Seizures; Warrants

Currentness

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

<Historical notes and references are included in the full text document for this amendment.>

<For Notes of Decisions, see separate documents for this amendment.>

U.S.C.A. Const. Amend. IV-Search and Seizure; Warrants, USCA CONST Amend. IV-Search and Seizure; Warrants

Current through P.L. 114-244.

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Amendment V. Grand Jury Indictment for Capital Crimes; Double Jeopardy; Self-Incrimination; Due Process of ...  
United States Code Annotated Constitution of the United States (Approx 2 pages)

United States Code Annotated  
Constitution of the United States  
Annotated  
Amendment V. Grand Jury, Double Jeopardy; Self-Incrimination; Due Process; Takings

U.S.C.A. Const. Amend. V full text

Amendment V. Grand Jury Indictment for Capital Crimes; Double Jeopardy;  
Self-Incrimination; Due Process of Law; Takings without Just Compensation

Currentness

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

<Historical notes and references are included in the full text document for this amendment.>

<For Notes of Decisions, see separate documents for clauses of this amendment:>

<USCA Const. Amend. V--Grand Jury clause>  
<USCA Const. Amend. V--Double Jeopardy clause>  
<USCA Const. Amend. V--Self-Incrimination clause>  
<USCA Const. Amend. V-- Due Process clause>  
<USCA Const. Amend. V--Takings clause>

U.S.C.A. Const. Amend. V full text, USCA CONST Amend. V full text  
Current through P.L. 114-219.

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Amendment VI. Jury trials for crimes, and procedural rights  
United States Code Annotated Constitution of the United States (Approx 2 pages)

United States Code Annotated  
Constitution of the United States  
Annotated  
Amendment VI. Jury Trial for Crimes, and Procedural Rights (Refs & Annos)

U.S.C.A. Const. Amend. VI-Jury trials

Amendment VI. Jury trials for crimes, and procedural rights

Currentness

<Notes of Decisions for this amendment are displayed in three separate documents. Notes of Decisions for subdivisions I through XX are contained in this document. For Notes of Decisions for subdivisions XXI through XXIX, see the second document for Amend. VI. For Notes of Decisions for subdivisions XXX through XXXIII, see the third document for Amend. VI.>

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

Notes of Decisions containing your search terms (0) View all 5294

U.S.C.A. Const. Amend. VI-Jury trials, USCA CONST Amend. VI-Jury trials  
Current through P.L. 114-244.

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## WESTLAW

### AMENDMENT XIV. CITIZENSHIP; PRIVILEGES AND IMMUNITIES; DUE PROCESS; EQUAL PROTECTION; AP... United States Code Annotated Constitution of the United States (Approx 2 pages)

United States Code Annotated

Constitution of the United States

Annotated

**Amendment XIV.** Citizenship; Privileges and Immunities; Due Process; Equal Protection;  
Apportionment of Representation; Disqualification of Officers; Public Debt; Enforcement

U.S.C.A. Const. Amend. XIV-Full Text

#### AMENDMENT XIV. CITIZENSHIP; PRIVILEGES AND IMMUNITIES; DUE PROCESS; EQUAL PROTECTION; APPOINTMENT OF REPRESENTATION; DISQUALIFICATION OF OFFICERS; PUBLIC DEBT; ENFORCEMENT

Currentness

**Section 1.** All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

**Section 2.** Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

**Section 3.** No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

**Section 4.** The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

**Section 5.** The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

<Section 1 of this amendment is further displayed in separate documents according to subject matter,>

<see USCA Const Amend. XIV, § 1-Citizens>

<see USCA Const Amend. XIV, § 1-Privileges>

<see USCA Const Amend. XIV, § 1-Due Proc>

<see USCA Const Amend. XIV, § 1-Equal Protect>

<sections 2 to 5 of this amendment are displayed as separate documents,>

WESTLAW



§ 1201. Kidnapping

United States Code Annotated Title 18. Crimes and Criminal Procedure Effective: July 27, 2006 (Approx. 3 pages)

United States Code Annotated

Title 18. Crimes and Criminal Procedure (Refs & Annos)

Part I. Crimes (Refs & Annos)

Chapter 55. Kidnapping (Refs & Annos)

Unconstitutional or Preempted Prior Version Recognized as Unconstitutional by State v. Murdaugh Ariz. Sep. 15, 2004

Effective: July 27, 2006

18 U.S.C.A. § 1201

§ 1201. Kidnapping

Currentness

(a) Whoever unlawfully seizes, confines, inveigles, decoys, kidnaps, abducts, or carries away and holds for ransom or reward or otherwise any person, except in the case of a minor by the parent thereof, when--

(1) the person is willfully transported in interstate or foreign commerce, regardless of whether the person was alive when transported across a State boundary, or the offender travels in interstate or foreign commerce or uses the mail or any means, facility, or instrumentality of interstate or foreign commerce in committing or in furtherance of the commission of the offense;

(2) any such act against the person is done within the special maritime and territorial jurisdiction of the United States;

(3) any such act against the person is done within the special aircraft jurisdiction of the United States as defined in section 46501 of title 49;

(4) the person is a foreign official, an internationally protected person, or an official guest as those terms are defined in section 1116(b) of this title; or

(5) the person is among those officers and employees described in section 1114 of this title and any such act against the person is done while the person is engaged in, or on account of, the performance of official duties,

shall be punished by imprisonment for any term of years or for life and, if the death of any person results, shall be punished by death or life imprisonment.

(b) With respect to subsection (a)(1), above, the failure to release the victim within twenty-four hours after he shall have been unlawfully seized, confined, inveigled, decoyed, kidnapped, abducted, or carried away shall create a rebuttable presumption that such person has been transported in interstate or foreign commerce. Notwithstanding the preceding sentence, the fact that the presumption under this section has not yet taken effect does not preclude a Federal investigation of a possible violation of this section before the 24-hour period has ended.

(c) If two or more persons conspire to violate this section and one or more of such persons do any overt act to effect the object of the conspiracy, each shall be punished by imprisonment for any term of years or for life.

(d) Whoever attempts to violate subsection (a) shall be punished by imprisonment for not more than twenty years.

(e) If the victim of an offense under subsection (a) is an internationally protected person outside the United States, the United States may exercise jurisdiction over the offense if (1) the victim is a representative, officer, employee, or agent of the United States, (2) an offender is a national of the United States, or (3) an offender is afterwards found in the United States. As used in this subsection, the United States includes all areas under the jurisdiction of the United States including any of the places within the provisions of sections 5 and 7 of this title and section 46501(2) of title 49. For purposes of this subsection, the

term "national of the United States" has the meaning prescribed in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)).

(f) In the course of enforcement of subsection (a)(4) and any other sections prohibiting a conspiracy or attempt to violate subsection (a)(4), the Attorney General may request assistance from any Federal, State, or local agency, including the Army, Navy, and Air Force, any statute, rule, or regulation to the contrary notwithstanding.

**(g) Special Rule for Certain Offenses Involving Children.--**

**(1) To whom applicable.--If--**

(A) the victim of an offense under this section has not attained the age of eighteen years; and

**(B) the offender--**

(i) has attained such age; and

(ii) is not--

(I) a parent;

(II) a grandparent;

(III) a brother;

(IV) a sister;

(V) an aunt;

(VI) an uncle; or

(VII) an individual having legal custody of the victim;

the sentence under this section for such offense shall include imprisonment for not less than 20 years.

**[(2) Repealed.** Pub.L. 108-21, Title I, § 104(b), Apr. 30, 2003, 117 Stat. 653.]

(h) As used in this section, the term "parent" does not include a person whose parental rights with respect to the victim of an offense under this section have been terminated by a final court order.

**CREDIT(S)**

(June 25, 1948, c. 645, 62 Stat. 760; Aug. 6, 1956, c. 971, 70 Stat. 1043; Pub.L. 92-539, Title II, § 201, Oct. 24, 1972, 86 Stat. 1072; Pub.L. 94-467, § 4, Oct. 8, 1976, 90 Stat. 1998; Pub.L. 95-163, § 17(b)(1), Nov. 9, 1977, 91 Stat. 1286; Pub.L. 95-504, § 2(b), Oct. 24, 1978, 92 Stat. 1705; Pub.L. 98-473, Title II, § 1007, Oct. 12, 1984, 98 Stat. 2139; Pub.L. 99-646, §§ 36, 37(b), Nov. 10, 1986, 100 Stat. 3599; Pub.L. 101-647, Title IV, § 401, Title XXXV, § 3538, Nov. 29, 1990, 104 Stat. 4819, 4925; Pub.L. 103-272, § 5(e)(2), (8), July 5, 1994, 108 Stat. 1373, 1374; Pub.L. 103-322, Title VI, § 60003(a)(6), Title XXXII, §§ 320903(b), 320924, Title XXXIII, § 330021, Sept. 13, 1994, 108 Stat. 1969, 2124, 2131, 2150; Pub.L. 104-132, Title VII, § 721(f), Apr. 24, 1996, 110 Stat. 1299; Pub.L. 105-314, Title VII, § 702, Oct. 30, 1998, 112 Stat. 2987; Pub.L. 108-21, Title I, § 104(b), Apr. 30, 2003, 117 Stat. 653; Pub.L. 109-248, Title II, § 213, July 27, 2006, 120 Stat. 616.)

**Notes of Decisions (491)**

18 U.S.C.A. § 1201, 18 USCA § 1201  
Current through P.L. 114-244.

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